

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - FLINT

In re:

Case Number: 13-33387-dof

ABEER OF FLINT, INC.

Chapter 11

Debtor.

Hon. Daniel S. Opperman

UNITED STATES TRUSTEE'S OBJECTIONS TO CLOSING OF THE CASE

Daniel M. McDermott, United States Trustee, for his Objections to closing of the above-referenced cases, states as follows:

1. The Debtor filed its voluntary petition for relief under Chapter 11 of Title 11 on October 4, 2013.
2. The case was confirmed on November 2, 2014.
3. The Debtor is required, pursuant to the Operating Requirements of the U.S. Trustee promulgated pursuant to 28 U.S.C. § 586(a)(3); 11 U.S.C. §§ 704(a)(8), 1106(a)(1) and 1107; and Fed. R. Bankr. P. 2015(a)[Interim], to file monthly pre-confirmation operating reports and post-confirmation disbursement reports with the Court no later than 20 days subsequent to the end of each month, and to serve copies upon the U.S. Trustee.
4. The Debtor has not filed the monthly reports for October and November 2014.
5. This case should not be closed until the Debtor's delinquent reports are filed.
6. The Debtor has accrued, but not yet due, Quarterly Fees owed to the United States Trustee. Under some circumstances, it would not be necessary to keep a case open for fees not yet due, but this case has a long history.

7. This Debtor often fulfills its obligations only when pressed. If the case closes, the pressure will ease, which is likely to be unproductive and lead to the need to reopen the case.

8. The Debtor has repeatedly been late with reports and the case was nearly converted to Chapter 7.

9. The Debtor is two days away from having two accrued but not yet due Quarterly Fees while it is two months delinquent in filing its reports.

10. Under the circumstances the Court should not close this case until the Debtor is current on its reports, pays its 4th quarter 2014 fees and escrows the money for its first quarter 2015 fees.

WHEREFORE, the United States Trustee requests that this Court deny the closing of the case and the entry of a final decree unless and until the Debtor files all delinquent reports and ensures satisfaction of its fee obligations.

Respectfully submitted,

DANIEL M. McDERMOTT
UNITED STATES TRUSTEE
Region 9

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Dated: December 30, 2014